

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

GREAT NORTHERN INSURANCE CO.
As subrogee of Juan A. Rodriguez Vila and
Iwalani Rodriguez

CIVIL NO. 11-1303 (DRD)

Plaintiff

Vs.

EL LEGADO PROPERTY MANAGEMENT
COMPANY, INC.; EL LEGADO DE CHI CHI
RODRIGUEZ GOLF RESORT, INC.;
EL LEGADO DE CHI CHI RODRIGUEZ
GOLF RESORT, (SC) SE; EL LEGADO
HOMEOWNER'S ASSOCIATION, INC, and
EL LEGADO CONDOMINIUM, REGIME I

Re: NEGLIGENCE, BREACH OF
CONTRACT, & BREACH
OF WARRANTY

Codefendants

MOTION TO CORRECT THE ISC MINUTES

TO THE HONORABLE COURT:

COMES NOW REAL LEGACY ASSURANCE COMPANY, INC, through the undersigned counsel and without submitting to this Honorable Court's jurisdiction, respectfully sets forth and prays:

1. This Honorable Court held the Initial Scheduling Conference on 4/24/2012. (See Docket no. 73).
2. In the Minutes of the ISC, this Honorable Court mentioned in footnote number 2, that "*Real Legacy filed a motion to dismiss (Docket No. 49) asserting lack of coverage and the Court resolved this motion against Real Legacy on April 20, 2012 (Docket No. 70). Despite issuing an Opinion and Order on Real Legacy's averments of lack of coverage, Real Legacy proceeded to evince similar arguments in the Conference*".

2.

3. The aforementioned premise is inaccurate, since in its Opinion and Order this Honorable Court addressed only and denied defendant Real Legacy's motion to dismiss, based upon the *plausible entitlement to relief* pleading standard established by *Twombly/Iqbal*, but did not enter into nor resolved the coverage issue. (Docket No. 70).

WHEREFORE, it is respectfully requested from this Honorable Court to correct the ISC Minutes, and thus eliminate the two sentences referred to in paragraph two of the instant motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 4th day of May, 2012.

S/Ernesto R. Irizarry

ERNESTO R. IRIZARRY

USDC-PR No. 126702

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REAL LEGACY ASSURANCE
COMPANY, INC.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date a true and exact copy of the foregoing has been filed electronically with the Clerk of the Court via CM/ECF system which will send notification of such filing via e-mail to all the attorneys of record.

S/Ernesto R. Irizarry

ERNESTO R. IRIZARRY

